

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BRIAN JAMES KALUZA,  
Plaintiff,  
v.  
UNITED STATES GOVERNMENT,  
Defendant.

No. CV-04-277-FVS

ORDER

**THIS MATTER** having come before the Court for screening pursuant to 28 U.S.C. § 1915(e)(2); and the Court having determined that the plaintiff has failed to state a claim for which relief may be granted; Now, therefore

**IT IS HEREBY ORDERED:**

The plaintiff's complaint is dismissed without prejudice. All pending motions are denied as moot.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this order, furnish a copy to Mr. Kaluza, and close this case.

**DATED** this 13th day of September, 2005.

s/Fred Van Sickle  
Fred Van Sickle  
United States District Judge